

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 822 Session of 2023

INTRODUCED BY J. WARD, COLLETT, VOGEL, CULVER AND SCHWANK,
JUNE 23, 2023

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
JUNE 23, 2023

AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled "An
2 act relating to the practice of professional nursing;
3 providing for the licensing of nurses and for the revocation
4 and suspension of such licenses, subject to appeal, and for
5 their reinstatement; providing for the renewal of such
6 licenses; regulating nursing in general; prescribing
7 penalties and repealing certain laws," establishing the
8 Nurses Health Program.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The act of May 22, 1951 (P.L.317, No.69), known
12 as The Professional Nursing Law, is amended by adding a section
13 to read:

14 Section 14.2. Nurses Health Program.--(a) The Board, in
15 conjunction with the Professional Health Monitoring Program
16 within the Bureau of Professional and Occupational Affairs,
17 shall establish a Statewide peer assistance program to be known
18 as the Nurses Health Program, for registered nurses and licensed
19 practical nurses. The program shall:

20 (1) Identify, assist and monitor nurses experiencing mental

1 health, alcohol and drug problems that impair their ability to
2 practice, so that they may return or continue to practice safe
3 nursing.

4 (2) Set clear, easily understandable requirements that
5 participants must meet in order to return to practice.

6 (3) Include regular progress reviews for nurses
7 participating in the program, with the goal of identifying
8 progress, and what must be done to successfully complete the
9 entire program and return to practice.

10 (4) Include treatment with appropriate and specific goals,
11 based on the level of assistance needed.

12 (5) Include an independent appeal process, administered by
13 the Board, for nurses who seek to leave the program or have
14 concerns with the program.

15 (b) The Board may enter into a memorandum of understanding
16 with an outside organization to administer the Nurses Health
17 Program. The memorandum of understanding shall:

18 (1) Include program eligibility criteria and reporting
19 information.

20 (2) List the substance abuse programs that the organization
21 administers for professionals in other jurisdictions, whether
22 state or local, and the success rate of those programs in
23 treating addictions among professionals.

24 (3) Describe the program that will be offered in this
25 Commonwealth, including:

26 (i) The treatment available to enrollees depending on the
27 seriousness of the addiction.

28 (ii) The goals that enrollees must meet to successfully
29 complete the program.

30 (iii) What happens to enrollees who fail to meet those

1 goals.

2 (c) An annual report on the program's activities shall be
3 made to the Board. The report shall include:

4 (1) The number of professionals enrolled in the program for
5 that calendar year.

6 (2) The average length of time, in months, that enrollees
7 are in the program.

8 (3) The number of professionals who successfully complete
9 the program in that calendar year.

10 (4) The number of enrollees who failed to complete the
11 program during that calendar year.

12 (5) The reasons for their failure to complete the program.
13 The annual report shall also be filed with the appropriate
14 committees in each chamber of the General Assembly.

15 Section 2. The State Board of Nursing, in conjunction with
16 the Secretary of the Commonwealth, shall determine the cost to
17 be allocated from the State Board of Nursing annual fees for
18 payment of the Nurses Health Program.

19 Section 3. This act shall take effect in 60 days.